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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

NOV 20 2019

at 9 o'clock and 40 min. A.M.
SUE BEITIA, CLERK JR

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	MAG. NO. 19-1186 RT
)	
Plaintiff,)	CRIMINAL COMPLAINT;
)	AFFIDAVIT IN SUPPORT OF
v.)	CRIMINAL COMPLAINT
)	
ERIC HURST,)	
)	
Defendant.)	
_____)	

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true
and correct to the best of my knowledge and belief.

Count 1

Possession of an Unregistered Firearm
(26 U.S.C. §§ 5841, 5861(d), and 5871)

On or about June 25, 2019, within the District of Hawaii, ERIC HURST, the defendant, did knowingly possess a firearm not registered to him in the National Firearms Registration and Transfer Record, namely, one weapon made from a shotgun, Ithaca, Model 37, 16-gauge, bearing serial number ULT-M37160150, knowing that the firearm had a barrel measuring less than 18 inches and an overall length of less than 26 inches.

All in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

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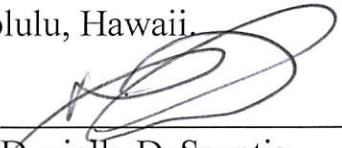
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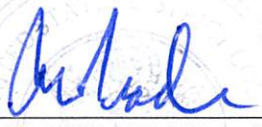
I further state that I am a Special Agent with the FBI and this Complaint is based upon the facts set forth in the attached affidavit, which is incorporated herein by reference.

DATED: November 15, 2019, Honolulu, Hawaii.




Danielle DeSanctis
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me,
on November 15, 2019 at Honolulu, Hawaii.



ROM TRADER
United States Magistrate Judge
District of Hawaii



KENJI M. PRICE #10523

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District of Hawaii

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)	
ERIC HURST,)	
)	
Defendant.)	
)	

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

INTRODUCTION

1. This affidavit is submitted for the purpose of establishing probable cause that on or about June 25, 2019, within the District of Hawaii, Eric HURST

(HURST) engaged in conduct that violated 26 U.S.C. §§ 5841, 5861(d), and 5871, which make it a crime to possess an unregistered short barreled shotgun.

2. I am a Special Agent with the Federal Bureau of Investigation, and have been since July 2014. I am currently assigned to the Violent Crime Task Force of the FBI Honolulu Field Office where my duties include, but are not limited to, investigating criminal street gangs and crimes of violence, including bank robberies. I am further deputized as a Special Deputy U.S. Marshal and have been assigned to the District of Hawaii U.S. Marshal Fugitive Task Force since January 2018, where my duties include, but are not limited to fugitive apprehensions. Prior to joining the FBI, I served as a Norfolk Police Officer for four years and a Detective for two years. As a result, I have experience investigating bank robberies and related offenses. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code and empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 1201(d) of Title 18, United States Code. Through my training and experience, I have become familiar with the manner in which criminal offenders operate, and the efforts of those involved in such activities.

3. I am familiar with the facts set forth in this affidavit based upon my personal knowledge and/or information provided to me by other law enforcement

personnel and/or witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the criminal complaint charging the defendant with violations of federal law. Accordingly, this affidavit does not set forth all of the facts known to me or to the FBI regarding this matter. Summaries and statements from conversations do not include references to all topics covered in the conversations. This affidavit is not intended to include each and every fact and matter observed or known by the government.

PROBABLE CAUSE

4. On or about June 26, 2019, Honolulu Police Department (HPD) Officers were dispatched to a location at Kokokahi Place, Kaneohe, Hawaii (the residence), on the report of a suspicious vehicle parked in the driveway.

5. HPD Officers arrived at the residence and HPD Officer Joseph Faumuina (Officer Faumuina), observed through the closed window of the front passenger door, a dark colored rifle, which he recognized to be a shotgun through his training and experience. He also observed that the barrel to the shotgun was shorter than it legally should have been. The shotgun was located on the floorboard of the front passenger seat.

6. Shortly after arriving at the residence, HPD Officer Jeffrey Fleigner (Officer Fleigner), observed a parked white and black Range Rover bearing Hawaii license plate TPR 690.

7. Dispatch made a check of the license plate, TPR 690, and found it to be an outstanding stolen vehicle, taken in a burglary.

8. After being advised of his Miranda rights, Eric HURST agreed to speak with an HPD officer. In a recorded statement, among other things, HURST stated that there was a “shotgun shorty,” which he further described to mean it was “stunted,” “small,” or “sawed off short.” HURST stated he picked up the shotgun and “was looking at um.”

9. The shotgun was recovered from within the vehicle and confirmed to be a weapon made from a shotgun, Ithaca, Model 37, 16-gauge, bearing serial number ULT-M37-160150.

10. The shotgun was measured with the barrel measuring approximately 13 inches, and an overall length of 23 ¾ inches. The legal length of a barrel is 18 inches and the overall length of a weapon made from a shotgun must be no shorter than 26 inches. Both the barrel and the overall length of the shotgun are thus significantly shorter than is lawfully permitted.

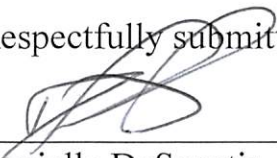
11. The shotgun was test fired and found to be in operating condition.

12. SA DeSanctis has reviewed the National Firearms Registration and Transfer Record, which indicated that the aforementioned shotgun has not been registered.

CONCLUSION


13. Therefore, based on my training and experience and the
aforementioned facts, I believe that probable cause exists that ERIC HURST, the
defendant, committed the aforementioned offense.

Respectfully submitted,



Danielle DeSanctis
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me,
on November 15, 2019 at Honolulu, Hawaii.



ROM TRADER
United States Magistrate Judge
District of Hawaii

